

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

HMD GLOBAL OY,

Defendant.

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Case No. 2:20-CV-00078-JRG

**DECLARATION OF REX C. FRYHOVER IN SUPPORT
OF MOTION TO TRANSFER OF HMD GLOBAL OY**

I, Rex C. Fryhover, declare under 28 U.S.C. § 1746:

1. I am Head of Operations for HMD America, Inc. I have personal knowledge of the matters set forth below and, if called as a witness, could and would testify about them.

2. HMD America, Inc. (“HMD America”) is a Florida corporation, with headquarters at 1200 Brickell Avenue, Suite 510, Miami, Florida, [REDACTED]

[REDACTED]

3. HMD America is a wholly owned subsidiary of HMD Global Oy (“HMD Global”), a Finnish company with headquarters in Espoo, Finland.

4. As a part of my responsibilities as Head of Operations, I oversee and coordinate HMD America’s relationships with its customers, [REDACTED]

[REDACTED]

5. [REDACTED]

6. [REDACTED]

7. HMD America operates from its headquarters in Miami, where I work. It has no offices in the Eastern District of Texas.

8. [REDACTED]

9. I understand that the United States District Court for the Southern District of Florida has a courthouse in Miami, Florida. I reside and work in Miami. It would be convenient for relevant HMD America witnesses to attend hearings and trial in Florida, which would require minimal travel time and not result in significant time away from their corporate duties.

10. I understand that Your Honor's courtroom is located in Marshall, Texas. It would require significant time and expense for relevant employee witnesses to travel there. I have calculated the distance between HMD America's headquarters and Marshall, Texas using Google Maps. HMD America's headquarters is located more than 1,100 miles from the United States Courthouse in Marshall, Texas.

11. I declare under penalty of perjury that the foregoing is true and correct. Executed in Miami, Florida, on September 22, 2020.



REX C. FRYHOVER